

Message Text

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ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00

SSO-00 USIE-00 INRE-00 FEA-01 PM-04 H-02 INR-07 L-03

NSC-05 PA-01 PRS-01 SP-02 SS-15 ACDA-07 AGR-05 AID-05

CEA-01 CEQ-01 CG-00 CIEP-01 COME-00 DLOS-06 DOTE-00

EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00 INT-05 JUSE-00

NSF-01 OES-06 OMB-01 SAL-01 /121 W

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O R 091050Z AUG 76

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC IMMEDIATE 4529

INFO AMEMBASSY ATHENS IMMEDIATE

AMEMBASSY NICOSIA

AMCONSUL ADANA

AMCONSUL ISTANBUL

AMCONSUL IZMIR

USMISSION USUN NEW YORK

USMISSION NATO

CINCEUR

USDOCOSOUTH

USDOCOLANDSOUTHEAST

USNMR SHAPE

CINCUSNAVEUR

CINCUSAFE-IN

CINCUSAFE-INCFR

HQ USEUCOM

CINCUSAREUR

COMSIXTHFLT

FOSIF ROTA

C O N F I D E N T I A L ANKARA 6081

DEPARTMENT PASS TO SECRETARY KISSINGER'S PARTY

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E.O. 11652: GDS

TAGS: PFOR, PLOS, TU, GR

SUBJ: TURKISH DIPLOMATIC NOTE CONCERNING SISMIK

1. MFA HAS GIVEN US A COPY OF THE NOTE MFA SEC GEN ELEKDAG
PRESENTED TO GREEK AMBASSADOR COSMADOPOULOS AUGUST 8.
BEGIN TEXT:

THE MINISTRY OF FOREIGN AFFAIRS PRESENTS ITS COMPLIMENTS
TO THE EMBASSY OF GREECE AND WITH REFERENCE TO ITS NOTE
NO. 64242.42/285/AS 2183, OF 7TH OF AUGUST, 1976 HAS THE
HONOUR, UNDER THE INSTRUCTIONS OF ITS GOVERNMENT, TO
COMMUNICATE THE FOLLOWING TO THE GREEK GOVERNMENT:

SINCE THE DELIMITATION OF THE AEGEAN CONTINENTAL
SHELF BETWEEN TURKEY AND GREECE HAS NOT BEEN EFFECTED, THE
RECENT GREEK ATTEMPT TO QUALIFY CERTAIN AREAS BEYOND THE
TERRITORIAL WATERS IN THE AEGEAN AS " THE GREEK CONTINENTAL
SHELF" IS IN CONTRAVENTION WITH THE RULES AND PRINCIPLES
OF INTERNATIONAL LAW. CONSEQUENTLY, THE GREEK CLAIM OF
VIOLATION OF THE GREEK SOVEREIGN RIGHTS IS COMPLETELY
UNFOUNDED.

THE GOVERNMENT OF TURKEY WOULD ALSO LIKE TO DRAW
THE ATTENTION OF THE GREEK GOVERNMENT TO THE FACT THAT
MTA SISMIK I IS CARRYING OUT ITS RESEARCHES OUTSIDE THE
TERRITORIAL WATERS IN THE AEGEAN WHERE THE CONTINENTAL SHELF
IS YET TO BE DELIMITED.

THE GOVERNMENT OF TURKEY, WHILE RESERVING ITS
POSITION REGARDING THE DELIMITATION OF THE AEGEAN CONTINENTAL
SHELF, WOULD LIKE TO REITERATE THAT UNILATERAL DECLARATIONS
OR CLAIMS OF GREECE DO NOT CONSTITUTE A LEGAL BASIS FOR
ESTABLISHING SOVEREIGN RIGHTS ON THE CONTINENTAL SHELF,
ON WHICH TURKEY AND GREECE HAVE UNDERTAKEN BILATERAL
NEGOTIATIONS WITH A VIEW OF FINDING AN ACCEPTABLE SOLUTION
TO BOTH PARTIES.

IN VIEW OF THE FOREGOING CONSIDERATIONS, AS IT
HAS BEEN ORALLY EXPRESSED TO THE GREEK AMBASSADOR HIS
EXCELLENCY MR. COSMODOPOULOS, ON 7TH OF AUGUST, THE
GOVERNMENT OF TURKEY DEEMS THE PROTEST OF THE GREEK
GOVERNMENT, WHICH IS DEVOID OF ANY BASIS, TOTALLY UNACCEPTABLE.

THE GOVERNMENT OF TURKEY STATES THAT THE RESEARCH
ACTIVITIES SHALL BE CARRIED OUT IN ACCORDANCE WITH
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THE ESTABLISHED PROGRAMME AND URGES THE GREEK GOVERNMENT TO
REFRAIN FROM ALL PROVOCATIVE ACTS WHICH MAY HINDER THE
RESEARCH ACTIVITIES OF MTA SISMIK I IN THE AEGEAN.

THE MINISTRY OF FOREIGN AFFAIRS AVAILS ITSELF
OF THIS OPPORTUNITY TO RENEW TO THE EMBASSY OF GREECE THE
ASSURANCES OF ITS HIGHEST CONSIDERATION. END TEXT

2. MFA AEGEAN/LOS CHIEF TURMEN TOLD EMBOFF AUGUST 9 THAT

ELEKDAG MADE TWO ADDITIONAL POINTS IN HIS MEETING WITH COSMADOPOULOS. THE FIRST POINT WAS THAT THZ GOT DID NOT DESIRE A CONFRONTATION WITH GREECE AND HAD TAKEN MINIMAL PRECAUTIONS FOR PROTECTING THE SISMİK. HOWEVER, THE GOG WAS ATTEMPTING TO HARASS THE OPERATIONS OF THE SHIP. (TURMEN SAID THE HARASSMENT CONSISTED OF A GREEK VESSEL ORDERING THE SISMİK OUT OF WATERS OVER THE CONTINENTAL SHELF CLAIMED BY GREECE, OF LOW-ALTITUDE OVERFLIGHTS AND OF A GREEK NAVAL VESSEL'S CUTTING ACROSS ITS BOW AT A "CLOSE" DISTANCE). HOWEVER, HE SAID, ELEKDAG NOTED THAT THZ GOT WOULD BE FORCED TO RESPOND IN KIND TO FURTHER INTER-FERENCE WITH THE SISMİK AND THE RESPONSIBILITY WOULD REST WITH GREECE. TURMEN SAID THAT ELEKDAG'S SECOND POINT WAS THAT THE GOT DESIRED THE RESUMPTION OF BILATERAL NEGOTIATIONS AT THE EARLIEST DATE POSSIBLE.

3. TURMEN POINTED OUT WHAT HE LABELLED THE "ASYMMETRY" OF THE TWO SIDES' POSITIONS CONCERNING THE SISMİK. THE TURKISH POSITION WAS THAT THE SCIENTIFIC RESEARCH CONDUCTED BY THE SISMİK DID NOT PREJUDICE EITHER COUNTRY'S CLAIM TO THE CONTINENTAL SHELF. GREECE, ON THE OTHER HAND, BELIEVED THAT PERMITTING THE SISMİK TO OPERATE IN DISPUTED WATERS WOULD PREJUDICE ITS CLAIM. TURMEN ARTICLE 52 OF THE PRESENT LOS SINGLE NEGOTIATING TEXT IN SUPPORT OF THE TURKISH THESIS. HE CONCLUDED BY NOTING THAT IF THZ GOT ACCEPTED THE GREEK PROTEST AND WITHDREW THE SISMİK, THAT ACTION WOULD CONSTITUTE RECOGNITION OF THE GREEK LEGAL CLAIM TO THE AEGEAN CONTINENTAL SHELF.
MACOMBER

NOTE BY OC/T: NOT PASSED SECRETARY.
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